

08/31/00
10/06/00 U.S. PTO

09-05-00

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Chad J. Kugler et al.

Docket No.: TER1001USD1

Anticipated Classification of this application:

Class _____ Subclass _____

Prior Application: 09/039,776

Examiner: Michael J. Milano

Group Art Unit: 3738

10/06/00 U.S. PTO
09/652548
08/31/00

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is a request for the filing under 37 C.F.R. § 1.53(b) of a
☐ continuation, ☒ divisional, ☐ continuation-in-part of pending prior Application No. 09/039,776, filed March 16, 1998, entitled BILUMINAL ENDOVASCULAR GRAFT SYSTEM and naming as inventors Chad J. Kugler having an address of 2658 138th Avenue West, Andover, Minnesota 55304; John R. Drontle having an address of 10560 97th Street Northeast, Monticello, Minnesota 55362; Peter T. Keith having an address of 1477 Grantham Street, St. Paul, Minnesota 55108; Thomas V. Ressemann having an address of 1730 Boxwood Circle, St. Cloud, Minnesota 56303; Matthew J. Olson having an address of 2610 Snelling Curve #17, Roseville, Minnesota 55113; and Thomas K. Heiland having an address of 6832 92nd Avenue North, Brooklyn Park, Minnesota 55445.

1. ☒ Enclosed are 30 pages of specification, 9 pages of claims (45 claims), 1 page of abstract, and 28 pages of drawings.
2. ☒ Enclosed is a copy of the Declaration and Power of Attorney (4 pages).

Certificate of Express Mailing (37 C.F.R. § 1.10)

I hereby certify that this paper or fee is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" Mailing Label No. EL501539149US and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231

Date: August 31, 2000

Signature: _____

Name: Jodi Jung

3. ☒ Incorporation by Reference. The entire disclosure of the prior Application No. 09/039,776, filed March 16, 1998, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference.
4. ☒ The filing fee is calculated below:
- a. ☐ No small entity status is claimed.
- b. ☒ A small entity form was filed in connection with the parent application and a copy is enclosed.
5. ☒ Cancel in this application original claims 1 to 36 of the prior application before calculating the filing fee.

CLAIMS FOR FEE CALCULATION					
Number Filed	Number Extra			Rate	Basic Fee \$345.00
Total Claims	10-20	0	X	\$9.00	0
Independent Claims	2-3	0	X	\$39.00	0
Multiple Dependent Claims	0	0	X	\$130.00	0
Total					\$345.00

6. ☐ The Commissioner is hereby authorized to charge any deficiency in fees which may be required, or credit any overpayment to Deposit Account No. 16-2312. A duplicate copy of this sheet is enclosed for that purpose.
7. ☒ A check in the amount of \$345.00 is enclosed to cover the required filing fees.
8. ☒ Amend the specification by adding the following sentence before the first paragraph: --This is a divisional of Application No. 09/039,776, filed March 16, 1998, the contents of which are hereby incorporated herein by reference.--

9. ☒ 28 sheets of formal drawings are enclosed.
10. ☒ The Assignment records in the Patent and Trademark Office indicate that the prior application is assigned to: TERAMed Inc.
11. ☒ The Power of Attorney in the prior application is to: Thomas E. Popovich, Terry L. Wiles, Patrick J. O'Connell, Miriam G. Simmons and others.
- a. ☐ The power appears in the original papers in the prior application.
- b. ☒ A copy of the power in the prior application is enclosed.
- c. ☒ Address all future communications to:
Thomas E. Popovich, Esq. (Reg. No. 30,099)
Popovich & Wiles, PA
Suite 1902, IDS Center
80 South 8th Street
Minneapolis, MN 55402
12. ☒ A Preliminary Amendment (3 pages) is enclosed.
13. ☒ An Information Disclosure Statement (3 pages), and two copies of Form PTO-1449 (2 pages) are enclosed.

Respectfully submitted,

Dated: 8/31/00

By Terry L. Wiles
Terry L. Wiles, Esq. (29,989)
Miriam G. Simmons (34,727)
POPOVICH & WILES, PA
Suite 1902, IDS Center
80 South 8th Street
Minneapolis, MN 55402
(612) 334-8989
Representatives of Applicants